BOMBAY ACT No. XLIII OF 1953.[1]

[THE BOMBAY MERGED TERRITORIES (ANKADIA TENURE ABOLITION) ACT, 1953.]

[*22nd June 1953*]

Amended by Bom. 58 of 1954.
" " " 2 of 1955.

An Act to abolish Ankadia Tenure prevailing in certain parts of the State of Bombay.

WHEREAS it is expedient to abolish the Ankadia tenure prevailing in the merged territories of the former States of Baroda, Idar, Balasinor, Malpur, [2][Ambaliara,] Lunawada and Deogadh Baria [2][and of the former estate of Ramas], to extinguish the rights appertaining thereto and to provide for other consequential and incidental matters hereinafter appearing ; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (*1*) This Act may be called the Bombay Merged Territories (Ankadia Tenure Abolition) Act, 1953.

(*2*) It extends to the merged territories of the former States of Baroda, Idar, Balasinor, Malpur, [2][Ambaliara,] Lunawada and Deogadh Baria [2][and of the former estate of Ramas] which are included in the districts of Baroda, Kaira, Panch Mahals, Sabar Kantha, Ahmedabad, Mehsana and Amreli.

(*3*) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint in this behalf.

Definitions

2. (*1*) In this Act, unless there is anything repugnant in the subject or context,—

(*a*) "Ankadedar" means a person holding an Ankadia village on Ankadia tenure and includes his co-sharer ;

(*b*) "Ankadia tenure" means the tenure on which a village is held by an Ankadedar—

(*i*) in the mergd territories of the former State of Baroda under the Baroda Ankadia Villages Rules of 1932, and

(*ii*) in the merged territories of the former States of Idar, Balasinor, Malpur, [2][Ambaliara,] Lunawada and Deogadh Baria [2][and of the former estate of Ramas] in accordance with the terms of a lease or any other agreement ;

(*c*) "Ankadia villages" means the villages specified in the first and second Schedules ;

(*d*) "Ankado" means a lump sum payable annually to Government by an Ankadedar out of the revenues realised by him annually from an Ankadia village ;

Bom. V of 1879.

(*e*) "Code" means the Bombay Land Revenue Code, 1879 ;

(*f*) "Collector" includes an officer appointed by the State Government to perform the functions and exercise the powers of the Collector under this Act ;

(*g*) "Gharkhed land" means the land held by an Ankadedar as his private or personal property ;

(*h*) "Jiwai land" means a land held by a cadet of an Ankadedar's family for the purpose of maintenance ;

(*i*) "prescribed" means prescribed by rules under this Act ;

(*j*) "Schedule" means a Schedule appended to this Act.

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1953, Part V, pp. 165-166.

[2] These words were inserted by Bom. 2 of 1955, s. 3, Second Schedule. This has been given retrospective effect.

(*2*) Any word or expression which is defined in the Code and not defined in this Act shall be deemed to have the meaning assigned to it by the Code.

(*3*) References in this Act to the provisions of the Baroda Ankadia Villages Rules of 1932 and the leases and agreements governing Ankadia tenure and incidents of Ankadia tenure shall, notwithstanding the repeal of the said Rules, the cancellation of the said leases and agreements and the abolition of the said tenure by this Act, be construed as references to the said provisions, leases, agreements and incidents as they were in force immediately before this Act comes into force.

(*4*) If any question arises whether any land is Gharkhed or Jiwai, the State Government or any officer authorised by the State Government shall decide the question and such decision shall be final.

Abolition of Ankadia tenure.

3. With effect from and on the date on which this Act comes into force—

(*i*) the Ankadia tenure, wherever it prevails in the territory to which this Act extends shall be deemed to have been abolished.

(*ii*) save as expressly provided by this Act all the incidents of the said tenure shall be deemed to have been extinguished ;

(*iii*) all the leases or agreements under which the Ankadia villages specified in the second Schedule were held immediately before the coming into force of this Act shall be deemed to have been cancelled ;

(*iv*) all the Ankadia villages are hereby resumed and all lands in such villages shall be liable to the payment of land revenue in accordance with the provisions of the Code and the rules made thereunder :

Provided that nothing in clause (*iv*) shall be deemed to affect,—

(*a*) *devasthan* inams or inams held by religious or charitable institutions ; and

(*b*) inams held for service useful to Government :

Provided further that nothing in this section shall affect the payment of maintenance allowance to a widow of a deceased Ankadedar sanctioned by the State Government under the provisions of the Baroda Ankadia Villages Rules of 1932.

Persons to be deemed as occupants.

4. (*1*) (A) In an Ankadia village specified in the first Schedule—

(*i*) in the case of Gharkhed land held by an Ankadedar, the Ankadedar,

(*ii*) in the case of Jiwai land, the person holding such land,

(*iii*) in the case of land held by a person who immediately before the coming into force of this Act was liable to pay to the Ankadedar land revenue or rent in respect of such land as an incident of Ankadia tenure, such person, and

(B) in an Ankadia village specified in the Second Schedule,

(*i*) in the case of Gharkhed land held by an Ankadedar, the Ankadedar, and

(*ii*) in the case of land held by a person whose name has been immediately before the commencement of this Act, entered in the record of rights as occupier (Kabjedar) of such land and who was liable to pay to the Ankadedar land revenue in respect of such land as an incident of Ankadia tenure, such person,

shall be primarily liable to the State Government for the payment of land revenue due in respect of such land and shall be entitled to all the rights and shall be liable to all the obligations in respect of such land as an occupant under the Code or any other law for the time being in force.

Name of the village.		District.
11.	Sujanpura	Mehsana.
12.	Dedana	Do.
13.	Sunasar	Do.
14.	Delapura	Do.
15.	Wamaiya	Do.
16.	Sanpara	Do.
17.	Bhundiya	Ahmedabad.
18.	Lahekawada	Do.
19.	Chekhalarani	Do.
20.	Nani Dau	Mehsana.
21.	Nagalpur Wanto	Do.
22.	Chhatiarda Wanto.	Do.
23.	Iyasara	Do.
24.	Gunja Wanto	Do.
25.	Sawala	Do.

THE SECOND SCHEDULE

[*See* section 2 (*1*) (*c*)].

Ankadia villages in the merged territories of the former Idar, Balasinor, Malpur, Ambaliara,] Lunawada and Devgadh Baria States [1][and of the former estate of Ramas].

Name of the Village.		District.
1.	Banthiwada Ajuna	Sabar Kantha.
2.	Banthiwada Hirola	Do.
3.	Banthiwada Lalkupa	Do.
4.	Banthiwada Jema	Do.
5.	Banthiwada Bamni	Do.
6.	Banthiwada Hira Tinba	Do.
7.	Rayawada	Do.
8.	Bhemapur	Do.
9.	Vagnora	Do.
10.	Lakhapur	Do.
11.	Surdevi	Do.
12.	Baskavo Danti	Do.
13.	Nesda	Do.
14.	Lalodia	Do.

[1] These words were inserted by Bom. 2 of 1955, s. 3, Second Schedule. This has been given retrospective effect.

	Name of the Village.	District.
15.	Lambhoya	Sabar Kantha.
16.	Rajpur	Do.
17.	Keshra Damor na Dhundha	Do.
18.	Palla	Do.
19.	Dhuleta	Do.
20.	Dachaka	Do.
21.	Mandali	Do.
22.	Vegha Damor na Dhundha	Do.
23.	Krishnapur	Do.
24.	Belyo	Do.
25.	Limbodra	Do.
26.	Karanpur	Do.
27.	Vasai	Do.
28.	Royania	Do.
29.	Dhanivada	Do.
30.	Ghandikyara	Do.
31.	Pisal	Do.
32.	Kamreda	Do.
33.	Sisodra	Do.
34.	Ghodnal	Do.
35.	Ankhol	Do.
36.	Manpur (Ramas)	Do.
37.	Lodhiana Pahadia	Do.
38.	Kanela	Do.
39.	Mora	Do.
40.	Othwad	Kaira.
41.	Nawagam	Do.
42.	Bar	Do.
43.	Jodhpur	Do.
44.	Saradia	Do.
45.	Limarvada	Do.
46.	Parabia	Do.
47.	Bhanthals	Do.